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PATENT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicants Logemann, et al.
Serial. No: 09/729,141 Examiner: Prouty
Filed: December 1, 2000 Group Art Unit: 1652
For: TRANSGENIC PATHOGEN RESISTANT ORGANISMS

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41,328
Patent Reg. No.

December 17, 2003
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated June 19, 2003, and pursuant to 37 C.F.R. §§ 1.97 (a) – (d) and 1.98, Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449 and respectfully request that the listed documents be made of record in the above-captioned application. Copies of the listed documents were provided during the original prosecution of this application.

Applicants do not believe that any fee is due in connection with the submission of this paper. However, should any fee be required, or if any overpayment has been made, the Commissioner is hereby authorized to charge any fees, or credit or any overpayments made, to Deposit Account 02-4377. Duplicate copies of this sheet are enclosed.

Respectfully submitted,
BAKER BOTTS L.L.P.

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Form PTO-1449 U.S. Department of Commerce
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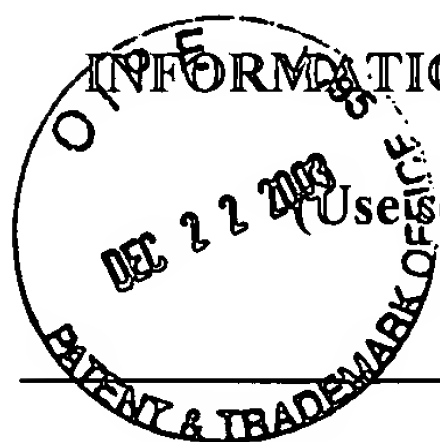
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U.S. PATENT DOCUMENTS

*Exam. Init.	Document No.	Date	Name	Class	Subclass	Filing Date if Appropriate
	4 9 4 0 8 4 0	7/1990	Suslow et al.			

FOREIGN PATENT DOCUMENT

Document No.	Date	Country	Class	SubClass	Translator Yes No
4 4 0 3 0 4	8/1991	EP			

OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.)

	R. Leah et al., "Biochemical and Molecular Characterization of Three Barley Seed Proteins With Antifungal Properties", J. Bio. Chem (266(3); 1564-1573, Jan. 1991.
	S. Wnendt et al., "Cloning and Nucleotide Sequences of a cDNA Encoding the Antifungal-Protein of Aspergillus giganteus and Preliminary Characterization of the Native Gene", Nuc. Acid Res. 18(13): 3987, Jul. 1990.

NY02:469288.1

Examiner

Date Considered

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicant.